IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 9TH FEBRUARY 2007 / 20TH MAGHA 1928

OP.No. 19569 of 2002(D)

PETITIONER:

T.A.MAJEED, S/O.T.K.MAHAMOOD,
RESIDING AT POTTAKUZHI ROAD, KALOOR, KOCHI-17.

BY ADV. SRI.PKM.HASSAN
SRI.J.JULIAN XAVIER

RESPONDENTS:

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1. STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
GOVERNMENT OF KERALA, THIRUVANANTHAPURAM.

2. DISTRICT COLLECTOR, KOZHIKODE.

3. DISTRICT REGISTRAR (GENERAL),
KOZHIKODE.

4. TAHSILDAR (R.R), KOZHIKODE.

BY GOVERNMENT PLEADER SMT.SMITHA

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 09/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P. NO.33569/2002 IN O.P. NO.19569/2002

DISMISSED:

9.2.2007 SD/-(C.N.RAMACHANDRAN NAIR, JUDGE.)

APPENDIX

PETITIONER'S EXHIBITS:

P1: TRUE PHOTOCOPY OF THE SALE DEED.

P2: TRUE PHOTOCOPY OF THE ORDER PASSED BY R3 FIXING THE VALUE OF THE PROPERTY.

P3: TRUE PHOTOCOPY OF THE PROVISIONAL ORDER.

P4: TRUE COPY OF THE OBJECTION.

TRUE COPY

P.S. TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

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O.P. No.19569 of 2002

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Dated this the 9th day of February, 2007.

JUDGMENT

Since counsel for the petitioner submitted that appeal was filed before the District Court against demand of differential stamp duty as C.M.A. No.154/2002 and is pending before the Principal District Judge, Kozhikode, there is no need for this court to consider the case on merits. The O.P. is accordingly closed leaving freedom to the petitioner to challenge the order of the District Court in appeal, if petitioner has any surviving grievance after disposal of appeal.

C.N.RAMACHANDRAN NAIR
Judge

pms